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Lisa C. Berry

9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13  
14 THE NEW YORK CITY EMPLOYEES'  
15 RETIREMENT SYSTEM, *et al.*,

16 Plaintiffs,

17 v.

18 LISA C. BERRY,

19 Defendant.  
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Case No. C 08-0246-JW

**STIPULATION AND [PROPOSED]  
ORDER REGARDING DEFENDANT  
LISA C. BERRY'S RESPONSE TO  
COMPLAINT**

1 WHEREAS, on January 14, 2008, the New York City Pension Funds (“Plaintiffs”)  
2 filed a putative class action titled *The New York City Employees’ Retirement System et al. v.*  
3 *Berry*, C-08-0246-MHP (N.D. Cal.) (the “Berry Action”);

4 WHEREAS, pursuant to Civil L.R. 3-12, a Related Case Order was entered and on  
5 February 25, 2008, the Berry Action was reassigned to Judge Ware, who is presiding over *In re*  
6 *Juniper Networks, Inc. Securities Litigation*, C-06-04327-JW (N.D. Cal.) (the “Consolidated  
7 Action”);

8 WHEREAS, on March 5, 2008, the Court approved the parties’ joint stipulation to  
9 extend defendant Lisa C. Berry’s (“Berry”) time to respond to the complaint in the Berry Action  
10 (the “Berry Complaint”) until after the Court ruled on certain defendants’ motion to dismiss in the  
11 Consolidated Action;

12 WHEREAS, the parties are considering mediation of the claims and have  
13 conferred and agree that an extended briefing schedule on any motion filed by Berry would be  
14 appropriate;

15 NOW THEREFORE Plaintiffs and Berry jointly submit this proposed order to the  
16 Court to establish the schedule for Berry’s response to the Berry Complaint:

- 17 1. Berry shall file a response to the Berry Complaint on or before June 16, 2008;
  - 18 2. Plaintiffs shall file their opposition to Berry’s motion to dismiss (if filed by Berry)  
19 no later than 30 days after Berry’s motion to dismiss is filed; and
  - 20 3. Berry shall file her reply brief in support of any motion to dismiss no later than 15  
21 days after Plaintiffs file their opposition brief.
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1 Dated: April 24, 2008

2 ORRICK, HERRINGTON & SUTCLIFFE  
3 JAMES N. KRAMER  
4 ERIN L. BANSAL  
5 REBECCA F. LUBENS  
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7 /s/ REBECCA F. LUBENS

8 REBECCA F. LUBENS  
9 Attorneys for Defendant  
10 Lisa C. Berry

11 Dated: April 24, 2008

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15 /s/ WILLEM F. JONCKHEER

16 WILLEM F. JONCKHEER  
17 Local Counsel for Plaintiffs  
18 The New York City Pension Funds

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28 Attorneys for Plaintiffs  
The New York City Pension Funds

**[PROPOSED] ORDER**

Pursuant to the parties' stipulation, IT IS SO ORDERED.

Dated: \_\_\_\_\_

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**HON. JAMES WARE**  
**UNITED STATES DISTRICT COURT JUDGE**

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